

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE**

BETHANY R. SCAER and STEPHEN :
SCAER, :

Plaintiffs, :

v. :

CITY OF NASHUA, a municipal :
corporation; JAMES W. DONCHESS, :
Mayor, City of Nashua, in his official and :
individual capacities; JENNIFER L. :
DESHAIES, Risk Manager, City of :
Nashua, in her official and individual :
capacities, :

Defendants. :

Case No. 1:24-cv-00277-LM-TSM

NOTICE OF UNAVAILABILITY

NOW COMES the Plaintiffs Bethany R. Scaer and Stephen Scaer, by and through their attorney Roy S. McCandless, Esq., of Roy S. McCandless, Esq, PLLC, and respectfully submits this notice of unavailability to this honorable Court stating:

1. Plaintiffs' in state counsel will be out of the country starting September 13, 2024, until October 15, 2024.
2. Local Rules require local counsel's presence at hearings. A request for a preliminary injunction has been filed on behalf of the plaintiffs.
3. I request that the court schedule any hearing until my return on October 15 to avoid any conflicts in the schedule.

WHEREFORE, Plaintiffs' respectfully requests that this Honorable Court:

- A. Accept this notice of unavailability for Plaintiffs' in state counsel;
- B. Schedule any hearings on the motion for preliminary injunction to a date after October 16, 2024; and
- C. Grant any other such relief as justice requires.

Dated: September 13, 2024

Respectfully submitted,

By: /s/ Roy S. McCandless

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CERTIFICATION

I hereby certify that on September 13, 2024, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which sent notification of such filing to all counsel of record.

/s/ Roy S. McCandless
Roy S. McCandless